THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.22260 of 2006

Between:

N.Padmavathamma.

.. PETITIONER

and

Sub-Inspector of Police,
II Town Police Station,
Proddatur and others.

..
RESPONDENTS

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ORDER:

This writ petition has been filed to declare the action of respondents 1 and 2 in not investigating and in not filing charge-sheet in Cr.No.40 of 2006 of II Town Police Station, Proddatur, as illegal and arbitrary.

A perusal of the material available on record goes to show that pursuant to the receipt of a complaint from the concerned Magistrate under Section 156(3) of Cr.P.C., a case in Cr.No.40 of 2006 was registered for the offences under Sections 177, 182, 417 and 420 IPC read with 156(3) Cr.P.C. on 09-04-2006 and the matter has been investigated into. After investigation, as no case is made out, after obtaining permission from the Sub-Divisional Police Officer, Proddatur, for referring the complaint as false vide proceedings, dated 21-10-2006, a notice has been served on the complainant on 05-11-2006 and a final report has been filed.

At this stage, the learned counsel for the petitioner submits that as against the said report, a protest application has been filed and the proceedings are pending before the concerned Magistrate.

In the present facts and circumstances of the case and in view of the pendency of protest application before the concerned Magistrate, I am of the opinion that no orders need be required in this writ petition.

The writ petition is, accordingly, dismissed. There shall be no order as to costs.

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25-01-2007

Prv